

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 16**

Lubbock, Texas

DURHAM SCHOOL SERVICES

Employer

and

Case 16-RC-259069

COMMUNICATIONS WORKERS OF AMERICA

Petitioner

DECISION AND DIRECTION OF ELECTION

On April 13, 2020, the Communications Workers of America (Petitioner) filed a representation petition under Section 9(c) of the Act seeking to represent certain employees of Durham School Services (Employer).

Prior to the filing of the petition, the Board temporarily suspended elections because of safety concerns related to the COVID-19 pandemic and then subsequently announced that appropriate measures for conducting elections in a safe and effective manner were available and noted that the determination as to such measures would be left to the Regional Directors. Further, on April 17, 2020, the Board issued a news release titled “COVID-19 Operation Status Update,”¹ in which it stated the following regarding representation elections:

Consistent with their traditional authority, Regional Directors have discretion as to when, where, and if an election can be conducted, in accordance with existing NLRB precedent. In doing so, Regional Directors will consider the extraordinary circumstances of the current pandemic, to include safety, staffing, and federal, state and local laws and guidance.

On April 23, 2020, a hearing officer of the Board held a telephonic hearing in this matter in which the parties presented offers of proof on the appropriateness of a mail ballot election. Having reviewed the parties’ positions, and having considered other factors, as addressed below, I have determined that because of the extraordinary circumstances presented by the ongoing pandemic, the National Labor Relations Board will conduct this election by mail ballot.

Although the type of election to be held is not a litigable issue at a hearing², I herein provide the basis for my decision to order a mail ballot election in this case.

¹ <https://www.nlr.gov/news-outreach/news-story/covid-19-operational-status-update>

² Cf. *2 Sisters Food Group, Inc.*, 357 NLRB 1816 (2011); *Halliburton Services*, 265 NLRB 1154 (1982); *Manchester Knitted Fashions, Inc.*, 108 NLRB 1366 (1954).

National, state, county, and local authorities have all declared states of emergency or disaster, and public health officials recommend minimizing in-person contact. I am unconvinced by the Employer's position that a safe and effective manual ballot election can be conducted at this time. Most notably, as public schools in Texas remain closed for the remainder of the school year, most of the proposed bargaining unit will soon be temporarily laid off for the summer months and not required to report to the Employer's facility. Holding a manual election would require those employees-currently in the safety of their own homes-to congregate at the Employer's facility, a risk they would not otherwise face. The most responsible measure to ensure a safe election is to conduct a mail ballot election which will minimize the risk of exposing employees, Board agents, Employer and Union representatives, their families, and the public to this virus. Additionally, given the current rapidity of changes to both recommended and mandatory virus-countermeasures, a manual ballot election would be fraught with uncertainty and subject to unpredictable changes. A mail ballot election will provide the certainty of process and procedure to conduct an election within a reasonably prompt period and in an effective manner.

I. BACKGROUND AND POSITIONS OF THE PARTIES

The Employer is a Delaware corporation with a facility located in Lubbock, Texas. The Employer is engaged in the service of providing passenger transportation. Petitioner seeks to represent a unit of drivers and monitors employed by the Employer at its facility located at 5501 MLK Jr. Blvd., Lubbock, Texas 79404.

Petitioner asserts that, in light of the local and statewide disaster and stay-at-home orders, as well as the closure of public schools for the remainder of the school year, and the circumstances faced in the country due to the COVID-19 pandemic generally, a mail ballot is necessary. The Petitioner offers that certain employees still report to work to deliver lunches to children, and that other employees, those considered to be at high-risk for contraction of COVID-19, are still on the Employer's payroll but are required to stay at home. Petitioner argues that holding a manual election would expose everyone involved to risk.

The Employer argues that a manual election is feasible and appropriate under these circumstances, and that timing is not a valid reason to schedule a mail ballot election. The Employer argues that under *San Diego Gas & Electric*, 325 NLRB 1143 (1998), mail ballot elections must only be held where employees are scattered, have differing work schedules, or if there is an ongoing strike, lockout, or picketing, and that none of these elements is present here. The Employer states all employees report to the same work location and continue to do so but are soon to be laid off for the summer months. The Employer also notes that a mail ballot election would negate its notice posting requirements, as employees would not see the notice, and also cites general turnout issues for mail ballot elections. The Employer also offers that the Board should hold a manual election in the fall, when employees have returned to work regularly.

II. CONDUCTING A MANUAL BALLOT ELECTION WOULD RISK INFECTING EMPLOYEES, THE BOARD AGENTS CONDUCTING THE ELECTION, AS WELL AS JEOPARDIZING THE HEALTH OF THE PUBLIC AT LARGE

At the time of this decision, despite unprecedented efforts to limit transmission, over 54,000 deaths from COVID-19 have been reported in the United States.³ The voting group of employees, other personnel at the Employer's facility, National Labor Relations Board Region 16 personnel, and the general population of west Texas are subject to the risks of COVID-19 transmission. This risk has been recognized by officials in several declarations, recommendations, and orders at the national, state, and local level. President Donald J. Trump, issued a "[Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease \(COVID-19\) Outbreak](#)," on March 13, 2020. That same day, Governor Greg Abbott, similarly issued "[a proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas](#)." On April 12, 2020, Governor Abbott issued a proclamation "[extending his disaster declaration for all Texas counties in response to COVID-19](#)."

Texas has been significantly affected by the novel coronavirus, with new confirmed cases and deaths every day. As of April 27, 2020, Texas has reported 25,297 cases of COVID-19, with 1,563 patients currently in the hospital because of the virus.⁴ At least 663 people have died because of COVID-19 statewide. In Lubbock County, where the Employer's facility is located, 499 cases have been confirmed, and 40 people have died from COVID-19. In Harris, Tarrant, Dallas, and Bexar counties, where Board Agents conducting the election would travel from, there are similar and higher rates of infection (Harris County, 5,729; Dallas County, 3,014; Tarrant County, 1,947; Bexar County; 1,254).⁵

Government agencies and authorities, recognizing the danger of this pandemic, have taken appropriate measures to limit exposure. On April 3, 2020, Lubbock Mayor Dan Pope issued a [Declaration of Disaster](#) (#7) effective until April 30, 2020 (unless cancelled or extended), which requires residents to stay at home except for travel for essential activities or to obtain essential goods and services, and prohibits public or private gatherings of any size outside a single household.⁶

Although Region 16 has available personnel who would appear to be infection free, the virus is believed to spread through presymptomatic and asymptomatic individuals. At some point in the future, testing may be more widespread, however, Texas currently ranks 49 out of 50 states

³ Johns Hopkins University & Medicine *Coronavirus Resource Center* <https://coronavirus.jhu.edu/map.html>, last accessed April 27, 2020.

⁴ Texas Department of State Health Services, "[Texas Case Counts: COVID-19 Case Dashboard](#)," last accessed April 27, 2020.

⁵ *See id.*

⁶ Accessed at <https://ci.lubbock.tx.us/departments/health-department/about-us/executive-orders-declarations>, April 27, 2020.

in the nation in COVID-19 tests performed per capita.⁷ In this environment of limited testing, sending a Board agent to conduct the election would risk the exposure of everyone at the facility. Eligible voters along with other employees who may come into contact with these participants, Board agents, and party representatives, would risk being exposed to the virus and spreading it to the community and their families. Therefore, the number of people placed at risk for exposure is much greater than just the number of employees eligible to vote.

The Board's manual election procedures require close proximity for the duration of the election between Board agents, election observers, and voters. Employees use the same pens or pencils while voting in an enclosed booth before placing their ballots in a sealed box; each of these ballots is individually handled by the Board agent conducting the election, and available for inspection by the party representatives. Before voting, voters are required to give their names to party observers, who then check the name off of the same voter list. These procedures carry the risk of exposure for employees at the facility, party representatives, Board personnel, their families, and the community.

Finally, holding a manual election at this time would require employees who are at home, or soon to be at home, to come into the Employer's facility where they would face a risk of exposure that they would not otherwise encounter in the safety of their own homes. With respect to those employees considered to be at high-risk, if they have already been sent home and are not currently required to report to the Employer's facility, holding a manual election at this time would disenfranchise those voters, at the very least, and expose them to potentially serious health consequences should they choose to vote. With respect to the employees, who will imminently be laid off for the summer months, holding a manual election at this time would similarly require them to choose between voting in a manual election and risking their health. I would not lightly direct an election which would force any employee to make such a decision.

III. THE ONLY ACCEPTABLE WAY TO MITIGATE THESE RISKS IS A MAIL BALLOT ELECTION

The Employer argues that a manual ballot election is feasible and appropriate, but fails to offer any measures it would take to ensure that social distancing requirements are followed, that voting locations are sanitized, and that employees and NLRB personnel conducting the election are kept safe from the risk of infection. Further, the Employer's preference would require approximately 185 employees, who are about to be temporarily laid off for the summer months and therefore remain safely in their homes, to congregate at the Employer's facility should they wish to participate in the election. Further, as noted above certain high-risk employees are already required to remain at home and cannot report to the Employer's facility. Holding a manual election at this time would therefore disenfranchise those voters, preventing them from participating in the election lest they risk their health and safety.

Despite the lack of solutions offered by the Employer, I have considered the feasibility and efficacy of other measures not specifically raised by the parties. Regarding the election itself, I have considered using masks and gloves, frequently sanitizing election equipment, the use of

⁷ The COVID Tracking Project <https://covidtracking.com/> last accessed April 27, 2020.

plastic barriers, and the required testing of participants (regardless of symptoms). I have also considered whether a Board agent conducting the election could observe appropriate restrictions while traveling to the election site.

Additionally, as discussed, I have considered using a mail ballot election and measures associated with a mail ballot election. I have considered requiring Region 16 personnel to sanitize outgoing mail, limiting the number of people who may participate in the count; and requiring social distancing for count attendees.

While implementing social distancing requirements in the voting area could reduce the risk of spread, I note that the experts disagree about the distance required for safety and that guidelines are subject to change. Current CDC guidance defines “good social distance” as “about 6 feet.”⁸ Some scientists disagree that 6 feet is enough.⁹ Given the uncertainty of determining an “appropriate” distance, we cannot be sure that current guidelines sufficiently mitigate risk. Additionally, it is possible that guidelines could change between the time of an election order and the date of the election.

Regarding the use of masks and gloves, the Regional Office currently has none available. These supplies are most needed by healthcare institutions at this time. I also note that the role of the observer would be made more difficult if voters were wearing masks covering their faces and obscuring their identity. Removal of the masks by the voter during voting would result in potential cross-contamination, thereby rendering the process even more risky.

Regarding sanitation and disinfecting of the voting place, these measures would do little to substantially reduce the potential for spread, given the number of individuals coming in and out of the voting area, the need for the passing of papers and proximity of individuals for the purpose of providing ballots and checking off names.

Based on the foregoing, I conclude that use of mail ballot election would provide the framework for more certain election procedures.

IV. DISCUSSION

Given the conditions in Texas at this time, and the available risk mitigation measures, I conclude that conducting an election placing employees in close proximity to Board agents and party observers, who may be traveling from regions with higher rates of infection than Lubbock County—and who may be carrying the virus—is not acceptable. Further, requiring employees to

⁸ See the CDC’s website entry [Coronavirus Disease 2019 \(COVID-19\), Prevent Getting Sick, How COVID-19 Spreads](#).

⁹ See, e.g., Lydia Bourouiba, “[Turbulent Gas Clouds and Respiratory Pathogen Emissions Potential Implications for Reducing Transmission of COVID-19](#)”, *Journal of American Medicine*, March 26, 2020 (“Given the turbulent puff cloud dynamic model, recommendations for separations of 3 to 6 feet (1-2 m) may underestimate the distance, timescale, and persistence over which the cloud and its pathogenic payload travel, thus generating an underappreciated potential exposure range for a health care worker.”)

return to their workplace from the safety of their own homes, where they have been ordered to remain except for travel related to essential activities, is irresponsible and dangerous.

The Employer also contends that delay has never been a reason cited by the Board for ordering a mail ballot election. Even granting this contention, the Board has ordered mail ballot elections because of circumstances that would temporarily prevent or delay a manual election for an indefinite time. *San Diego Gas & Electric* mentions such a condition—a strike—as one in which a mail ballot election would be appropriate. Presumably, a manual election could be held at some unknown time after the strike ended. However, the Board recognized that this was at least one situation that would delay an election and would be grounds for conducting a mail ballot election, rather than a manual one.

The Board has also upheld the use of mail ballot elections during the off-season for seasonal employees.¹⁰ Even though it would have been possible to delay an election and hold it manually later in the year, when seasonal employees were present at work, the Board found a mail ballot election proper in these circumstances.

Here, a manual election cannot be held without endangering the health and safety of employees, party observers, Board agents, and the broader community. Since the Board has allowed mail ballot elections to take place in situations where a manual election would be delayed because of strikes or the absence of seasonal workers, and the current pandemic presents extraordinary circumstances preventing a manual election under the facts presented in this case, a mail ballot election is appropriate.

A Regional Director has broad authority over conducting representation elections.¹¹ However, the Board has provided guidelines for reasonably exercising this discretion when ordering a mail ballot election. The Board's policy for when a Regional Director should order a mail ballot election was described in *San Diego Gas & Electric*, 325 NLRB 1143, 1145 (1998):

When deciding whether to conduct a mail ballot election or a mixed manual-mail ballot election, the Regional Director should take into consideration at least the following situations that normally suggest the propriety of using mail ballots: (1) where eligible voters are “scattered” because of their job duties over a wide geographic area; (2) where eligible voters are “scattered” in the sense that their work schedules vary significantly, so that they are not present at a common location at common times; and (3) where there is a strike, a lockout or picketing in progress.

¹⁰ E.g., *Sitka Sound Seafoods*, 325 NLRB 685 (1998); *Pennsylvania Interscholastic Athletic Association*, 365 NLRB No. 107 (2017).

¹¹ The Board has long held that a Regional Director has broad discretion to decide issues of election conduct, so long as this discretion is not abused or exercised arbitrarily, capriciously, or unreasonably. This includes determining whether to conduct an election by mail, even if the Direction of Election did not provide for mail balloting. See, e.g., *Fedders Manufacturing Company*, 7 NLRB 817, 822 (1938); *Postex Cotton Mills, Inc.*, 73 NLRB 673, 677 (1947); *E.I. DuPont du Nemours*, 79 NLRB 345, 346 (1948); *North American Plastics Corp.*, 326 NLRB 198 (1998); *California Pacific Medical Center*, 357 NLRB 197, 198 (2011).

We also recognize that there may be other relevant factors that the Regional Director may consider in making this decision, but we emphasize that, in the absence of extraordinary circumstances, we will normally expect the Regional Director to exercise his or her discretion within the guidelines set forth above.¹²

While there is a preference for conducting manual elections in ordinary circumstances, *San Diego Gas* allows a Regional Director to exercise discretion and order a mail ballot election in extraordinary circumstances. *San Diego Gas* did not claim to provide an exhaustive list of circumstances where mail ballot elections would be allowed, but rather *at least* three cases where mail ballot elections should normally be used.

The Board rejected limitations implied by outdated language in the Casehandling Manual that suggested mail ballot elections were proper only if manual elections were “infeasible,” as well as suggestions that a mail ballot election should never be held where it would be possible to conduct an election manually. *Id.* at 1145, fn 6, 10.

The Board, in *San Diego Gas*, clarified that the use of mail ballot elections is not limited to three enumerated circumstances, but that “other relevant factors,” especially in “extraordinary circumstances” may be considered by a Regional Director. The present circumstances, a worldwide pandemic in which more than 207,000 deaths have occurred, are extraordinary, and present many relevant factors suggesting that a mail ballot election would be appropriate.

In *National Van Lines*, 120 NLRB 1343 (1956), the Board asserted that “circumstances surrounding working conditions in various industries require an adaptation of established election standards to those peculiar conditions.” 120 NLRB at 1346, citing *Shipowners’ Association of the Pacific Coast, et al.*, 110 NLRB 479, 480 (1954). The Board noted that “[b]ecause of these circumstances, the Board has invested Regional Directors with broad discretion in determining the method by which elections should be conducted.” *Id.* Given the unprecedented health crisis occasioned by the COVID-19 pandemic, my decision to order a mail ballot election in this case is simply an adaptation of existing election standards to this situation.

The Employer argues that the election should take place in the fall when employees are back at work after the school year begins and that it has very little employee turnover, and therefore it is expected that employees currently employed will also be employed in the fall. I reject this as a basis for delaying the election until the fall for several reasons. First, the Board’s longstanding practice is to leave the selection of the time and place of elections to the sound discretion of the Regional Director. *Halliburton Services (Coffeyville, Kansas)*, 265 NLRB 1154 (1982). In

¹² See also *Casehandling Manual Part Two: Representation Proceedings* 11301.2, “Manual or Mail Ballot Election: Determination;” *Outline of Law and Procedure in Representation Cases* 22-110, “Mail Ballots.” As noted in *San Diego Gas & Electric*, 325 NLRB at 1143, 1145 fn 6, a past version of the Casehandling Manual directed mail ballots to be used only in cases where, if a party objected to mail ballots, a manual election was clearly infeasible. The Board, noting that this language did not reflect Board law and had resulted in confusion in using mail ballots, directed the Casehandling Manual to be revised “to reflect a more flexible standard than has sometimes been inferred” from the “infeasibility” standard. *Id.* at 1145, fn 6. The current Casehandling Manual reflects the language of *San Diego Gas* almost verbatim.

exercising that discretion, I am guided by sections of the Board's Casehandling Manual (Part Two-Representation Proceedings) with respect to the conduct of initial representation elections. Section 11300 of that manual provides that as a general matter, "the Regional Director should exercise discretion in achieving the objective of conducting the election as soon as practicable consistent with the Board's rules." Section 11302.1 provides "The regional director will consider the various policies protected by the Act—as well as operational considerations and the relevant preferences of the parties (which may include their opportunity for meaningful speech about the election)—in selecting an election date. The election date, therefore, will be based on the circumstances of the case." Applying the above criteria to the case at hand, wherein we face an ongoing pandemic, I find that an immediate mail ballot election should be directed. Second, when an employer's workforce has substantial regularly occurring fluctuations in the number of employees working, the Board balances the impact of delaying the voting to facilitate the greatest number of eligible voters against the right of employees to a speedy election. *Elsa Canning Co.*, 154 NLRB 1810, 1812-13 (1965). Here, a mail ballot election will facilitate involving the greatest number of voters, disenfranchising the fewest number of voters, and ensuring a speedy election as required.

Finally, a manual election cannot be held safely at this time. There is no indication when a manual election could be safely held. Waiting until it would be safe to conduct a manual election would further delay this election. However, a mail ballot election would allow this election to be held safely and without further delay. I therefore find that a mail ballot election is appropriate in this case.

V. CONCLUSION

Based upon the entire record in this matter and in accordance with the discussion above, I conclude and find as follows:

1. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.
2. The Employer is engaged in commerce within the meaning of the Act, and it will effectuate the purposes of the Act to assert jurisdiction herein.¹³
3. The Petitioner is a labor organization within the meaning of Section 2(5) of the Act and claims to represent certain employees of the Employer.
4. The following employees of the Employer constitute a unit appropriate for the purpose of collective bargaining within the meaning of Section 9(b) of the Act:

¹³ The Employer, Durham School Services, a Delaware corporation with a facility located at 5501 MLK Jr. Blvd., Lubbock, Texas, the only facility herein involved, is engaged in the service of providing passenger transportation. During the past 12 months, a representative period, the Employer purchased and received at its Lubbock, Texas facility goods valued in excess of \$50,000 directly from points outside of Texas.

Included: All full-time and regular part-time Drivers and Monitors employed by the Employer at its facility located at 5501 MLK Jr. Blvd., Lubbock, Texas 79404.

Excluded: All other employees, confidential employees, office clerical employees, guards, and supervisors as defined in the National Labor Relations Act.

DIRECTION OF ELECTION

The National Labor Relations Board will conduct a secret ballot election among the employees in the voting group found appropriate above. Employees will vote whether or not they wish to be represented for purposes of collective bargaining by the Communications Workers of America.

1. Election Details

The election will be conducted by mail. The mail ballots will be mailed to employees employed in the appropriate collective-bargaining unit on May 11, 2020. Voters must return their mail ballots so that they will be received by close of business on June 5, 2020. The mail ballots will be counted on June 17, 2020, at 10:00 a.m. at a location to be determined, either in person or otherwise, after consultation with the parties, provided the count can be safely conducted on that date.

If any eligible voter does not receive a mail ballot or otherwise requires a duplicate mail ballot kit, he or she should contact the Region 16 office by no later than 4:45 p.m. on May 22, 2020, in order to arrange for another mail ballot kit to be sent to that employee.

2. Voting Eligibility

Eligible to vote are those in the unit who were employed during the payroll period ending **April 16, 2020**, including employees who did not work during that period because they were ill, on vacation, or temporarily laid off.

Employees engaged in an economic strike, who have retained their status as strikers and who have not been permanently replaced, are also eligible to vote. In addition, in an economic strike that commenced less than 12 months before the election date, employees engaged in such strike who have retained their status as strikers but who have been permanently replaced, as well as their replacements, are eligible to vote. Unit employees in the military services of the United States may vote if they appear in person at the polls.

Ineligible to vote are 1) employees who have quit or been discharged for cause since the designated payroll period; 2) striking employees who have been discharged for cause since the strike began and who have not been rehired or reinstated before the election date; and 3) employees who are engaged in an economic strike that began more than 12 months before the election date and who have been permanently replaced.

3. Voter List

As required by Section 102.67(l) of the Board's Rules and Regulations, the Employer must provide the Regional Director and parties named in this decision a list of the full names, work locations, shifts, job classifications, and contact information (including home addresses, available personal email addresses, and available home and personal cell telephone numbers) of all eligible voters.

To be timely filed and served, the list must be *received* by the regional director and the parties by **Monday, May 4, 2020**. The list must be accompanied by a certificate of service showing service on all parties. **The region will no longer serve the voter list.**

Unless the Employer certifies that it does not possess the capacity to produce the list in the required form, the list must be provided in a table in a Microsoft Word file (.doc or docx) or a file that is compatible with Microsoft Word (.doc or docx). The first column of the list must begin with each employee's last name and the list must be alphabetized (overall or by department) by last name. Because the list will be used during the election, the font size of the list must be the equivalent of Times New Roman 10 or larger. That font does not need to be used but the font must be that size or larger. A sample, optional form for the list is provided on the NLRB website at www.nlr.gov/what-we-do/conduct-elections/representation-case-rules-effective-april-14-2015.

When feasible, the list shall be filed electronically with the Region and served electronically on the other parties named in this decision. The list may be electronically filed with the Region by using the E-filing system on the Agency's website at www.nlr.gov. Once the website is accessed, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions.

Failure to comply with the above requirements will be grounds for setting aside the election whenever proper and timely objections are filed. However, the Employer may not object to the failure to file or serve the list within the specified time or in the proper format if it is responsible for the failure.

No party shall use the voter list for purposes other than the representation proceeding, Board proceedings arising from it, and related matters.

4. Posting of Notices of Election

Pursuant to Section 102.67(k) of the Board's Rules, the Employer must post copies of the Notice of Election, included in this Decision and Direction of Election, in conspicuous places, including all places where notices to employees in the unit found appropriate are customarily posted. The Notice must be posted so all pages of the Notice are simultaneously visible. In addition, if the Employer customarily communicates electronically with some or all of the employees in the unit found appropriate, the Employer must also distribute the Notice of Election electronically to those employees. The Employer must post copies of the Notice at least 3 full working days prior to 12:01 a.m. of the day of the election and copies must remain posted until the end of the election. For purposes of posting, working day means an entire 24-hour period

excluding Saturdays, Sundays, and holidays. However, a party shall be estopped from objecting to the nonposting of notices if it is responsible for the nonposting, and likewise shall be estopped from objecting to the nondistribution of notices if it is responsible for the nondistribution.

Failure to follow the posting requirements set forth above will be grounds for setting aside the election if proper and timely objections are filed.

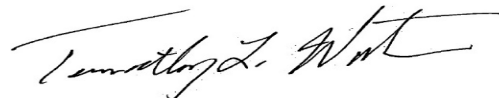
RIGHT TO REQUEST REVIEW

Pursuant to Section 102.67 of the Board's Rules and Regulations, a request for review may be filed with the Board at any time following the issuance of this Decision until 14 days after a final disposition of the proceeding by the Regional Director. Accordingly, a party is not precluded from filing a request for review of this decision after the election on the grounds that it did not file a request for review of this Decision prior to the election. The request for review must conform to the requirements of Section 102.67 of the Board's Rules and Regulations.

A request for review may be E-Filed through the Agency's website but may not be filed by facsimile. To E-File the request for review, go to www.nlr.gov, select E-File Documents, enter the NLRB Case Number, and follow the detailed instructions. If not E-Filed, the request for review should be addressed to the Executive Secretary, National Labor Relations Board, 1015 Half Street SE, Washington, DC 20570-0001. A party filing a request for review must serve a copy of the request on the other parties and file a copy with the Regional Director. A certificate of service must be filed with the Board together with the request for review.

Neither the filing of a request for review nor the Board's granting a request for review will stay the election in this matter unless specifically ordered by the Board.

DATED at Fort Worth, Texas, this 27th day of April 2020.



Timothy L. Watson, Regional Director
National Labor Relations Board, Region 16
Fritz G. Lanham Federal Building
819 Taylor Street, Room 8A24
Fort Worth, Texas 76102-6107